

sent in 3 envelopes

U.S. DISTRICT COURT
EASTERN DISTRICT-WI
FILED

2019 SEP 18 P 1:56

STEPHEN C. DRIES
CLERK

COMPLAINT

(for filers who are prisoners without lawyers)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

(Full name of plaintiff(s))

Phillip Avery Scales

v.

Case Number:

(Full name of defendant(s))

19-C-1360
(to be supplied by Clerk of Court)

Patrick Noonan, C.O Sybas, C.O Thompson
C.O Gibbs, City of Racine, Nurse Amanda
Dr. Sara Jeggler, Deputy Burtardt, C.O Knight

A. PARTIES

1. Plaintiff is a citizen of Minnesota and is located at
(State)

717 Wisconsin Ave Racine, WI Racine County
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper.)

2. Defendant City of Racine, Patrick Noonan, C.O Sybas, C.O Thompson, C.O Gibbs
Nurse Amanda, Dr. Sara Jeggler, Deputy Burtardt, C.O Knight (Name)
is (if a person or private corporation) a citizen of Wisconsin

and (if a person) resides at Wisconsin (State, if known)

(Address, if known)
and (if the defendant harmed you while doing the defendant's job)

worked for Racine County Jail 717 Wisconsin Ave. Racine, WI 53403
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

The plaintiff Phillip Scales is an inmate at Racine County Jail in Racine, WI.

on 7/23 between 9pm-7am 7/24 these events occurred my shoulder was dislocated and I pushed

the emergency button in my cell immediately it took C.O Gibbs about an hour to respond I told him my

shoulder was dislocated he came and checked and notified the nurse Amanda as well as Nicole it took

them at least another hour to respond when they did they assessed me in the hallway and clearly my

shoulder was dislocated. He avoided stating it on purpose on Gibbs body camera they took my vitals and then

just put me back into my cell w/o putting me on the immediate path to recovery which isn't policy so

after about another hour C.O Gibbs, C.O Thompson, and C.O Syllar came to my cell and I told them my

shoulder was dislocated and hurting and where was medical; Thompson said he knew and they were

there to take me down to see medical; Instead of taking me to the nurses office or the hospital they put

me into an intake cell which isn't policy or procedure for a person w/ a dislocated shoulder and didn't

give me any pain medication, ice pack, medical attention at all but while on the way to the cell
C.O Patrick Noonan who I have had multiple prior incidents with joined with about 2 other C.O's
and forcefully put me into the cell and forced forcing me to lay down on the bunk amidst my
protests of my arm being dislocated and I couldn't lay down due to bone on bone contact causing
excruciating pain, so Patrick Noonan and the other C.O's grabbed me forcing me onto the bed
and I started to fall back and drop directly to the floor due to the pain while telling them
I was passing out and they still grabbed me and pushed me onto the bed hitting my head
and smacking my face directly onto the mat and arm twisting under my body with me
laying on it awkwardly and I was screaming from the torturous acts they just did asking
them why did they just do that. They left and I started pushing the emergency button because
now I couldn't move my arm, fingers, and hand but the pain increased tenfold and was
starting to numb. I also banged on the door as much as could and I couldn't feel my arm
hands and fingers as the swelled almost double their size and started discoloring a paleish
color. Eventually I ended up passing out either before or after I seen Nurse Amanda again
and she admitted on camera that she knew my shoulder was dislocated and said that Sara
Jeggler told her to put me into an intake cell which isn't policy and everything is on body
cameras and intake cameras. I woke up to C.O Knight and Nurse Amanda and LPN Nicole and could
talk from being incoherent and the pain being to great and they just left me on the floor where they
found me passed out. Then eventually around 3am I believe 5+ hours after the dislocation
they came Deputy Burdardt and Deputy Thiesen and took me to the hospital Deputy forced me to cuff my
dislocated arm to the waist/ belly chains which isn't policy or procedure and hurt even more then at the
hospital he was being very disrespectful and making my pain worse and making me suffer more on
way to Xray he asked me if I still needed my ice pack I said of course yes he still threw it away then
when I came back to the room and I asked for it he said he didn't know where he set it so I told him
he going to find it or get me a new one and I refused and eventually I had to be put to sleep and
shot with needles (multiple) of Fentanyl to put my shoulder back in and need surgery and when I came back
they gave me more needles and said that I had to have my shoulder and prescribed me more meds than the

continued...

hospital prescribed me for the chitid and he asked if I could move it and said
it was very swelled while he was e [redacted] asked if they xrayed it at
the hospital and I told him I didn't know.

3 different envelopes
* Sent in peices by Phillip Sealer?
107448

C. JURISDICTION

☐ I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR

☒ I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is
\$ 500,000,000

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

I want to be heavily compensated financially for this
I shouldn't have had to go through all of this pain
and suffering and get assaulted by staff while I'm having
a medical crisis and be denied the proper path to resolving
the issue and getting my shoulder put back into place
and be nursed back to proper health not made worse.
And treated like I did something wrong. I'm mentally
emotionally and spiritually damaged from this entirely and
need to be financially compensated heavily for this.

E. JURY DEMAND

I want a jury to hear my case.

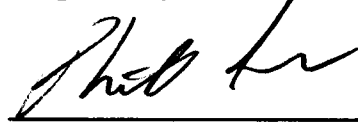
☒ - YES

☐ - NO

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this September day of 19 20 19.

Respectfully Submitted,



Signature of Plaintiff

107448

Plaintiff's Prisoner ID Number

717 Wisconsin Ave. Racine, WI 53403

(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FULL FILING FEE



I **DO** request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Full Filing Fee form and have attached it to the complaint.



I **DO NOT** request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.

Sent in 3 different envelopes in pieces by Phillip Scales

U.S. DISTRICT COURT
EASTERN DISTRICT-WI
FILED

COMPLAINT

(for filers who are prisoners without lawyers)

2019 SEP 18 P 1: 56

STEPHEN C. DRIES
CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

(Full name of plaintiff(s))

Phillip Avery Scales

v.

Case Number:

19-C-1360

(to be supplied by Clerk of Court)

(Full name of defendant(s))

Patrick Noonan, Melissa Gonzales

Bradley Friend, City of Racine

Douglas Wearing,

A. PARTIES

1. Plaintiff is a citizen of Minnesota, and is located at
(State)

Racine County Jail 717 Wisconsin Ave. Racine, WI
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper.)

2. Defendant City of Racine, Patrick Noonan, Melissa Gonzales
Bradley Friend, Douglas Wearing (Name)
is (if a person or private corporation) a citizen of Wisconsin

and (if a person) resides at Wisconsin (State, if known)
(Address, if known)
and (if the defendant harmed you while doing the defendant's job)
worked for Racine County Jail 717 Wisconsin Ave
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

Plaintiff Phillip Scales has been an inmate at the Racine County Jail off and on since October 2014 in Racine, WI and has been trapped in the SHU ever since except 1 time after about 2½ years of time in the hole, spent in pieces of getting out of jail from the hole and coming back to jail for another length of time but going directly back to the SHU from intake for no apparent reason I've written every defendant numerous times about this begging to go back to general population stating being under these conditions were mentally, emotionally, physically, and spiritually torturous and traumatizing causing me have many symptoms of mental illnesses, specifically Patrick Noonan, Melissa Gonzales, is responsible for me being placed into the hole every time I come to jail, literally for no apparent and research studies show the SHU

specifically 23 n1 hour lockdown causes people to think and act irrational those are the only reasons I've ever been written up for a disciplinary report while in the hole because of lost of hope and trying to fight for my rights at least 30+ grievance's were filed by me since 2014 to the old Captain Douglas Wearing, Bradley Friend, Patrick Noonan, + Melissa Gonzales stating all of these things and they all neglected to fix this problem nor write back and Patrick Noonan came every single week and lied to me and brainwashed me into believing I would go back to general population but i've served almost 4 years of jail time all in the hole i've only had approximately 2 months of general population time total the only time I was allowed back in general population Patrick Noonan + Melissa Gonzales put me back on 23 n1 hour lockdown illegally after I recieved a 24 hour lockdown which isnt policy at all, you get locked down for 24 hours in your general population cell, not put back into the hole for the rest of life every time I come to jail. They tortured me because of my arguments me, Patrick Noonan, and Melissa Gonzales have gotten into and for threatening to sue Douglas Wearing, Bradley Friend, Melissa Gonzales + Patrick Noonan this is them retaliating against me. I have logs of body camera footage situations since all the C.O's have bodycameras, Names of people that have just as many or more disciplinary writeups and still went back to general population, i've went months without writeups and never went to general population.

pt. 2

* Sent in 3 Envelopes by Phillip Scales
(prices)

C. JURISDICTION

☐ I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR

☒ I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is
\$ 500,000,000

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

I want to be heavily financially compensated for the constant 4 years of equated time of torture, brainwashing, physical, emotional mental, and spiritual traumatizing experiences, seeing multiple people almost successfully kill themselves by hanging, slashing their veins, guards beat on me physically and mentally for standing for my rights, suffering from hunger because I couldn't order food in the hole, trying to kill myself in the hole, not being able to contact all of my family on holidays, losing a lot of weight from constant hunger, lost of faith in God and religion, being teased and pepper sprayed for standing up for my rights and criminally charged causing me to be trapped longer. getting my mattress taken from 8AM-8PM for major disciplinary actions which is illegal I've done over 200 days of that, for losing my mental sanity numerous amounts of times.

E. JURY DEMAND

I want a jury to hear my case.

☒ - YES

☐ - NO

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this September day of 14th 2019.

Respectfully Submitted,

Phillip L.

Signature of Plaintiff

107448

Plaintiff's Prisoner ID Number

717 Wisconsin Ave. Racine, WI 53403

(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FULL FILING FEE

☒ I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Full Filing Fee form and have attached it to the complaint.

☐ I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.